

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SKYLINE SOFTWARE SYSTEMS, INC.,

Plaintiff,

v.

KEYHOLE, INC., and  
GOOGLE INC.

Defendants.

CIVIL ACTION NO. 06-10980 DPW

**DECLARATION OF HEATHER N. MEWES IN SUPPORT OF DEFENDANTS'  
OPPOSITIONS TO PLAINTIFF'S MOTIONS FOR SUMMARY JUDGMENT OF  
INFRINGEMENT AND VALIDITY**

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I, Heather N. Mewes, declare as follows:

1. I am an attorney with Fenwick & West, LLP, counsel for Defendants Keyhole, Inc. and Google Inc. (collectively, "Google" or "Defendants") in this matter. I make this declaration of my own personal knowledge and would competently testify thereto if called upon to do so.

2. Attached as Exhibit 1 to this Declaration are true and correct copies of relevant excerpts from the official transcript of the deposition of Phillip Keslin, taken on June 1, 2006. The transcript is an accurate reflection of the proceedings. Portions of Exhibit 1 contain information designated Confidential or Highly Confidential pursuant to the Protective Order. Exhibit 1 is being filed under seal.

3. Attached as Exhibit 2 to this Declaration is a true and correct copy of the SIGGRAPH '95 Multimedia CD-ROM my firm ordered from ACM SIGGRAPH, an organization responsible for the annual SIGGRAPH computer graphics conference, in particular the SIGGRAPH '95 conference. The SIGGRAPH '95 Multimedia CD-ROM was produced by Google in this lawsuit on a CD labeled G-T 00021 and includes the following videos on the T-Vision Proejct, TRACKER.mpeg, Terra\_S.mpeg, and BERLIN.mpeg.

4. Attached as Exhibit 3 to this Declaration are true and correct copies of files regarding the T\_Vision Project printed out from the SIGGRAPH '95 Multimedia CD-ROM (Exhibit 2 to this Declaration). Specifically, the following files are attached as Exhibit 3, INTEX.HTL, TVISION.HTL, RENDERER.HTM, TERRABAS.THM, INTERFAC.HTM, ITU.HTM, PRESS.HTM, PEOPLE.HTM.

5. Attached as Exhibit 4 to this Declaration is a CD with a video demonstration of the T\_Vision system (Terra1995 video) that my firm obtained from ART+COM, the owner of

the Mayer patent and T\_Vision system. The video was produced in this lawsuit by Google as G-T 00013. Google's expert, Dr. Feiner, testified that this video looks like the T\_Vision system demonstrated at SIGGRAPH '95. *See* Feiner Depo (Ex. 7 to this Declaration) at 47:20-48:12, 48:24-52:12.

6. Attached as Exhibit 5 to this Declaration is a transcript of the audio portion of the Terra1995 video of the T\_Vision system (attached as Exhibit 4 to this Declaration). The transcript was produced by Google in this litigation as GOOG027815-16.

7. Attached as Exhibit 6 to this Declaration are true and correct copies of relevant excerpts from the official transcript of the depositions of Stephen Lau taken on June 21, 2006 and June 22, 2006. The transcripts are an accurate reflection of the proceedings.

8. Attached as Exhibit 7 to this Declaration are true and correct copies of relevant excerpts from the official transcript of the deposition of Professor Steven K. Feiner, Ph.D. taken on January 11, 2007. The transcript is an accurate reflection of the proceeding.

9. Attached as Exhibit 8 to this Declaration are true and correct copies of relevant excerpts from the official transcript of the deposition of Michael T. Jones, taken on January 26, 2006. The transcript is an accurate reflection of the proceeding.

10. Attached as Exhibit 9 to this Declaration is the September 21, 2006 Affidavit of Marke Clinger ("Clinger Affidavit"), and excerpts from exhibits B and C of the Clinger Affidavit, which show an ATM network was used for T\_Vision at SIGGRAPH '95. Mr. Clinger was a volunteer for ACM SIGGRAPH from January 1995 to October 1995. Mr. Clinger served as the Networking Chair for SIGGRAPH 95 and managed a team that was responsible for building a network to meet the requirements of exhibitors at SIGGRAPH 95.

11. Attached as Exhibit 10 to this Declaration are true and correct copies of relevant

excerpts from the official transcript of the deposition of Mark Aubin taken on June 7, 2006. The transcript is an accurate reflection of the proceedings.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. This declaration is executed this 2nd day of February, 2007, in Mountain View, California.

/s/ Heather N. Mewes

Heather N. Mewes

